

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THE CORYN GROUP II, LLC. AND
AMRESORTS L.P.

Plaintiffs,

v.

VACATION TOURS, INC., MEDIA INSIGHT
GROUP, INC., ROSANNA METZ-MENDEZ,
AND GEORGE A. ALVAREZ,

Defendants.

Civil Action No. _____

**COMPLAINT FOR WILLFUL TRADEMARK COUNTERFEITING, TRADEMARK
INFRINGEMENT, DILUTION, UNFAIR COMPETITION, CYBERSQUATTING,
COPYRIGHT INFRINGEMENT, AND PENNSYLVANIA STATE AND COMMON LAW
CAUSES OF ACTION**

Plaintiffs The Coryn Group II, LLC and AMResorts L.P. (hereinafter collectively referred to as “The Coryn Group”), bring this action against Defendants Vacation Tours, Inc., Media Insight Group, Inc., Rosanna Metz-Mendez, and George A. Alvarez (hereinafter collectively referred to as “Defendants”) and allege as follows:

NATURE OF ACTION

1. This action is for willful trademark counterfeiting, trademark infringement, dilution, unfair competition, and cybersquatting in violation of the Lanham Act, 15 U.S.C. §§ 1114(1) and 1125(a), (c) and (d); for copyright infringement arising under the Copyright Act of 1976, 17 U.S.C. §§ 101, 501, and 1201 *et seq.*; for trademark infringement in violation of the Pennsylvania Trademark Act, 54 Pa. C.S.A. § 1123; for trademark dilution in violation of the Pennsylvania Trademark Act, 54 Pa. C.S.A. § 1124; and for unfair competition in violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 Pa. C.S.A. § 201 *et seq.*

2. This action results from Defendants' unauthorized and willful operation of counterfeit websites that use The Coryn Group's registered trademarks and website content to lure customers into making unauthorized, sometimes fraudulent reservations for accommodations, and the unauthorized, attempted registration of marks confusingly similar to The Coryn Group's registered trademarks, causing harm to The Coryn Group and individuals in the State of Delaware and this District.

THE PARTIES

3. Plaintiff The Coryn Group II, LLC ("The Coryn Group, II, LLC") is a limited liability company organized under the laws of Delaware, with a registered office at 850 New Burton Road, Dover, Delaware 19904, and is the successor in interest to the The Coryn Group, LLC.

4. Plaintiff AMResorts L.P. ("AMR") is a Pennsylvania limited partnership, with a registered address at 7 Campus Boulevard, Newtown Square, Delaware County, Pennsylvania 19073.

5. Defendant Vacation Tours, Inc. is a Florida corporation with its principal place of business at 4201 S.W. 11th Street, Coral Gables, Florida 33134 ("Vacation Tours"). Vacation Tours bears legal responsibility for acts alleged herein and operates travel websites offering hotel reservations under the Fictitious Name, "Vacation Store Miami" at the website, www.vacationstoremiami.com. Vacation Tours currently operates websites at thirty-seven domain names that fully incorporate and are confusingly similar to The Coryn Group II, LLC's famous and registered trademarks. The websites for these domain names also contain original, copyright protected content owned by The Coryn Group and falsely promise customers

reservations at resorts branded with The Coryn Group II, LLC's trademarks. Vacation Tours may be served with process under the Delaware long arm statute, 10 *Del. C.* § 3104.

6. Defendant Media Insight Group, Inc. is a Florida corporation with its principal place of business at 5615 Alton Road, Miami Beach, Florida, 33140 ("Media Insight"). Media Insight registered thirty-one (31) domain names which fully incorporate or are confusingly similar to The Coryn Group II, LLC's famous and registered trademarks. The websites for these thirty-one (31) domain names contain original content owned by The Coryn Group and falsely promise customers reservations at resorts branded with The Coryn Group II, LLC's trademarks. Media Insight may be served with process under the Delaware long arm statute, 10 *Del. C.* § 3104.

7. Defendant George A. Alvarez is a citizen of the State of Florida residing at 5615 Alton Road, Miami Beach, Florida, 33140 ("Alvarez"). Alvarez is a controlling officer of Vacation Tours and of Media Insight. Alvarez registered six (6) domain names which fully incorporate and/or are confusingly similar to The Coryn Group II, LLC's famous and registered trademarks. The websites for these six (6) domain names contain original content owned by The Coryn Group and falsely promise customers reservations at resorts branded with The Coryn Group II, LLC's trademarks. Alvarez also applied for two (2) U.S. trademark applications for domain names that fully incorporate two resorts branded with The Coryn Group II, LLC's trademark: NATURARIVERACANCUN.COM (App. No. 88/157,967) and STARCANCUN.COM (App. No. 88/157,966). Mr. Alvarez may be served with process under the Delaware long arm statute, 10 *Del. C.* § 3104.

8. Defendant Rosanna Metz-Mendez is a citizen of the State of Florida, residing at 4201 SW 11 St., Coral Gables, Florida 33134 ("Metz-Mendez"). Metz-Mendez is a controlling

officer of Vacation Tours. Ms. Metz-Mendez may be served with process under the Delaware long arm statute, 10 *Del. C.* § 3104.

9. Defendants transact business in this District and have sufficient minimum contacts with the State of Delaware. Defendants have purposefully availed themselves of the benefits of doing business in Delaware by transacting business in Delaware, and can reasonably anticipate being hauled into court in Delaware.

10. In undertaking these deliberate acts, including all facts and allegations set forth below, which are incorporated herein by reference, Defendants had fair warning they may be called before a Delaware court in this District.

JURISDICTION AND VENUE

11. This Court has subject matter jurisdiction over The Coryn Group's federal claims pursuant to the Lanham Act, 15 U.S.C. §§ 1114(1) and 1125(a), (c) and (d), 17 U.S.C. § 101 *et seq.*, and 28 U.S.C. §§ 1331, 1332(a), and 1338(a) and (b). This Court has supplemental jurisdiction over The Coryn Group's state law claims pursuant to 28 U.S.C. § 1367.

12. This Court has personal jurisdiction over Defendants in that they have engaged in, and continue to engage in, the transaction of business and the commission of trademark counterfeiting, trademark infringement, dilution, unfair competition, and cybersquatting and other tortious acts in interstate commerce throughout the United States and in this judicial district, including offering for sale its services via the Internet in this judicial district. Defendants' business and acts have caused, and continue to cause, injury to The Coryn Group within the Commonwealth of Delaware.

13. Venue is proper in the District of Delaware pursuant to 28 U.S.C. § 1391 and 1400(a), because The Coryn Group is doing business in this District, the claims arose in this

District, and a substantial part of the events giving rise to the claims occurred in this District. Moreover, Defendants transact business in this District, have committed tortious acts in this District, and have engaged in activities that subject them to the jurisdiction of this Court. Finally, because Defendants are subject to personal jurisdiction in this District, venue is proper in this District.

**THE CORYN GROUP’S AND AMRESORTS’ PROMINENT POSITION
IN THE TRAVEL AND HOSPITALITY INDUSTRIES**

14. AMR was founded in 2001 as AMResorts, LLC, and is a globally-recognized leader in the brand management of properties in the luxury all-inclusive sector. Apple Leisure Group (“ALG”) is comprised of a collection of entities, including The Coryn Group, with roots going back to 1969. ALG is North America’s only vertically-integrated travel, hospitality, and leisure management group, and is the largest seller of vacation packages in the U.S. for travel to Mexico and the Caribbean, representing approximately 3.2 million travelers annually.

15. AMR has provided award-winning hotel brand management and marketing services (“AMR Services”) for nearly two decades. AMR provides AMR Services to resorts and hotels including over 20,000 rooms at locations in Mexico, the Caribbean, and Central America, with the addition of resorts in Spain and other European destinations being added by the end of 2019.

16. The Coryn Group II, LLC owns trademarks used in connection with a wide range of travel-related services, including all-inclusive offerings, entertainment services, and a collection of luxury resorts, with each resort brand having its own unique personality.

17. AMR currently provides AMR Services to the following seven (7) distinct brands: “Reflect Resorts & Spas”; “Sunscape Resorts & Spas”; “Now Resorts & Spas”; “Zoëtry Wellness & Spa Resorts”; “Secrets Resorts & Spas”; “Breathless Resorts & Spas”; and “Dreams Resorts &

Spas.” Each brand also features one of the following all-inclusive experiences: Endless Privileges®; Unlimited-Luxury®; or Unlimited-Fun®. AMR also provides AMR Services for “Alua Hotels & Resorts” and “Amigo Hotels & Resorts.”

18. The Endless-Privileges® model is available in Zoëtry Wellness & Spa Resorts. Under Endless-Privileges®, guests enjoy services such as three times daily maid service, no check-in or check-out time, health conscious gourmet cuisine, unlimited top-shelf spirits, and 24-hour concierge services.

19. The Unlimited-Luxury® experience is available at Secrets Resorts & Spas, Breathless Resorts & Spas, Dreams Resorts & Spas, Now Resorts & Spas, and Reflect Resorts & Spas. Under the Unlimited-Luxury® experience, guests enjoy reservation-free dining with à la carte service at gourmet restaurants, unlimited international and domestic top-shelf spirits, unlimited natural fruit juices and soft drinks, pool and beach wait service, 24-hour room and concierge services, an unlimited premium beverage program, day and nighttime activities, and all taxes and gratuities are included.

20. The Unlimited-Fun® experience is available at Sunscape Resorts & Spas. Under Unlimited-Fun® accommodations, guests enjoy activity programs for kids and teens, access to 24-hour dining options and lounges serving international and domestic brand beverages, daily activities, live music and local entertainment, and all taxes and gratuities are included.

REFLECT® RESORTS & SPAS

21. Reflect Resorts & Spas is a family-friendly brand and offers activities and experiences inspired by the culture of each destination. Reflect was introduced in 2018 in partnership with Grupo Hotelero Santa Fe. Reflect Resorts & Spas promotes and offers the

Unlimited-Luxury® all-inclusive model. AMR is responsible for providing AMR Services to the following three (3) Reflect Resorts & Spas properties:

- Reflect Krystal Grand Los Cabos
- Reflect Krystal Grand Nuevo Vallarta
- Reflect Cancun (formerly Reflect Krystal Grand Cancun)

SUNSCAPE® RESORTS & SPAS

22. AMR provides AMR Services to the following eight (8) Sunscape Resorts & Spas across Mexico, Curaçao, Jamaica, and the Dominican Republic, where guests are offered the Unlimited-Fun® experience, with “fun-filled, worry-free, family-friendly vacations.”:

- Sunscape Star Cancun
- Sunscape Sabor Cozumel Resort & Spa
- Sunscape Akumal Resort & Spa
- Sunscape Dorado Pacifico Ixtapa
- Sunscape Puerto Vallarta Resort & Spa
- Sunscape Cove Montego Bay
- Sunscape Curaçao Resort, Spa & Casino
- Sunscape Puerto Plata Dominican Republic

NOW® RESORTS & SPAS

23. AMR provides AMR Services to the following five (5) Now Resorts & Spas in Mexico and two (2) Now Resorts & Spas in the Dominican Republic, where guests enjoy a family-friendly, modern vacation experience combined with the Unlimited-Luxury® experience:

- Now Emerald Cancun
- Now Natura Riviera Cancun
- Now Sapphire Riviera Cancun
- Now Larimar Punta Cana
- Now Jade Riviera Cancun
- Now Onyx Punta Cana
- Now Amber Puerto Vallarta

ZOËTRY® WELLNESS & SPA RESORTS

24. AMR provides AMR Services to the following four (4) Zoëtry Wellness & Spa Resorts in Mexico, the Dominican Republic, and Jamaica, where guests enjoy holistic wellness with unrivaled luxury and the Endless-Privileges® experience:

- Zoëtry Agua Punta Cana
- Zoëtry Villa Rolandi Isla Mujeres
- Zoëtry Paraiso de la Bonita Riviera Maya
- Zoëtry Montego Bay Jamaica

SECRETS® RESORTS & SPAS

25. The first Secrets Resort, Secrets Excellence Punta Cana, opened in Mexico in 2002. AMR provides AMR Services to the following sixteen (16) adults-only Secrets branded Resorts & Spas across Mexico, Jamaica, the Dominican Republic, Costa Rica, and Spain, where the Unlimited-Luxury® experience is offered in combination with unparalleled pampering:

- Secrets Akumal Riviera Maya
- Secrets Aura Cozumel
- Secrets Capri Riviera Cancun
- Secrets Huatulco Resort & Spa
- Secrets Maroma Beach Riviera Cancun
- Secrets Playa Mujeres Golf & Spa Resort
- Secrets Puerto Los Cabos Golf & Spa Resort
- Secrets Silversands Riviera Cancun
- Secrets The Vine Cancun
- Secrets Vallarta Bay Puerto Vallarta
- Secrets Cap Cana Resort & Spa
- Secrets Royal Beach Punta Cana
- Secrets Wild Orchid Montego Bay
- Secrets St. James Montego Bay
- Secrets Papagayo Costa Rica
- Secrets Mallorca Villami Resort & Spa

BREATHLESS® RESORTS & SPAS

26. AMR provides AMR Services to the following four (4) Breathless Resorts & Spas located in the Dominican Republic, Mexico, and Jamaica, where guests enjoy an all-adult experience that is complemented by the Unlimited-Luxury® concept:

- Breathless Cabo San Lucas Resort & Spa
- Breathless Riviera Cancun Resort & Spa
- Breathless Punta Cana Resort & Spa
- Breathless Montego Bay Resort & Spa

DREAMS® RESORTS & SPAS

27. AMR provides AMR Services to the following thirteen (13) Dreams Resorts & Spas across Mexico, the Dominican Republic, Costa Rica, and Panama, where couples and couples with children enjoy the Unlimited-Luxury® experience:

- Dreams Acapulco Resort & Spa
- Dreams Huatulco Resort & Spa
- Dreams Los Cabos Suites Golf Resort & Spa
- Dreams Playa Mujeres Golf & Spa Resort
- Dreams Puerto Aventuras Resort & Spa
- Dreams Riviera Cancun Resort & Spa
- Dreams Sands Cancun Resort & Spa
- Dreams Tulum Resort & Spa
- Dreams Villa Magna Nuevo Vallarta
- Dreams Dominicus La Romana
- Dreams Palm Beach Punta Cana
- Dreams Punta Cana Resort & Spa
- Dreams Las Mareas Costa Rica
- Dreams Playa Bonita Panama

THE CORYN GROUP'S STRONG TRADEMARKS

28. The Coryn Group II, LLC owns extensive common law rights in its family of trademarks, including but not limited to trademarks such as ENDLESS PRIVILEGES, UNLIMITED-LUXURY, UNLIMITED-FUN, REFLECT, SUNSCAPE, NOW RESORTS &

SPAS, ZOETRY, SECRETS, BREATHLESS RESORTS & SPAS, DREAMS, and other trademarks used in connection with travel-related offerings and services, including making reservations and bookings for temporary lodgings, resort hotel services, hotel reservation services, and providing personalized information about hotels and temporary accommodations for travel via the internet and phone.



29. The Coryn Group II, LLC also owns the following United States Trademark Registrations for its family of marks that describe its all-inclusive experiences, all of which are legally and validly registered on the Principal Register of the United States Patent and Trademark Office (“USPTO”) (collectively, “All-Inclusive Registrations”):

Mark	U.S. Reg. No.	International Class(es)	Status
ENDLESS PRIVILEGES	3,764,565	43	Incontestable
UNLIMITED-LUXURY	3,339,887	43	Incontestable
UNLIMITED-FUN	3,237,440	43	Incontestable



Copies of the Certificates of Registration and USPTO Trademark Status and Document Retrieval (“TSDR”) printouts for these All-Inclusive Registrations are attached as Exhibit A.

30. The Coryn Group II, LLC also owns the following United States Trademark Registrations used in connection with distinct resorts, among other marks and registrations, all of which are legally and validly registered on the Principal Register of the USPTO (collectively, “Brand Registrations”):

Mark	U.S. Reg. No.	International Class(es)	Status
REFLECT	5,607,698	43	Registered



SUNSCAPE RESORTS & SPAS 	4,071,474	43	Incontestable
SUNSCAPE	2,760,264	42	Incontestable
NOW JADE	3,946,119	43	Incontestable
NOW RESORTS & SPAS	3,959,036	43	Incontestable
ZOETRY WELLNESS & SPA RESORTS 	3,681,351	43	Incontestable
ZOETRY	3,755,697	43	Incontestable
SECRETS	2,772,061	42	Incontestable
BREATHLESS RESORTS & SPAS	4,432,752	43	Incontestable
BREATHLESS RESORTS & SPAS 	4,557,297	43	Registered
DREAMS LAS MAREAS 	4,696,471	43	Registered
DREAMS DELIGHT	5,342,379	43	Registered
DREAMS	3,077,181	43	Incontestable

Copies of the Certificates of Registration and USPTO Trademark Status and Document Retrieval (“TSDR”) printouts for the above-referenced Brand Registrations are attached as Exhibit B.

31. The Coryn Group II, LLC’s federal registrations for SUNSCAPE RESORTS & SPAS (and Design) - , SUNSCAPE, NOW JADE, NOW RESORTS & SPAS, ZOETRY WELLNESS & SPA RESORTS (and Design) - , ZOETRY, SECRETS, BREATHLESS

RESORTS & SPAS, and DREAMS (among other trademarks), are incontestable under 15 U.S.C. § 1065. The Coryn Group II, LLC's incontestable registrations are conclusive evidence of the validity of the marks listed in the registrations, The Coryn Group II, LLC's ownership of the marks, and The Coryn Group II, LLC's exclusive right to use the marks in commerce in connection with the identified goods and services. 15 U.S.C. § 1115(b).

32. The Coryn Group II, LLC also owns the following pending United States trademark applications, which were legally and validly filed with the USPTO (collectively, the "Coryn Group Applications"):

Mark	U.S. App. No.	International Class(es)	Filing Date
REFLECT RESORTS & SPAS  REFLECT RESORTS & SPAS	88/226,130	43	12/12/2018
SECRETS WILD ORCHID MONTEGO BAY	88/223,679	43	12/12/2018
SECRETS WILD ORCHID MONTEGO BAY 	88/223,687	43	12/10/2018

Copies of the current USPTO TSDR printouts for the Coryn Group Applications are attached as Exhibit C.

33. In addition, The Coryn Group II, LLC owns foreign trademark registrations for DREAMS, SECRETS, ZOETRY, BREATHLESS, REFLECT, SUNSCAPE, NOW (among other trademarks) in more than fifteen jurisdictions, including but not limited to Mexico, the Bahamas, Jamaica, the Dominican Republic, the EU, Canada, Aruba, Panama, Bermuda, and Costa Rica.

These registrations are valid, subsisting and in full force and effect. All of these marks have been registered since long prior to the acts of Defendants complained herein.

34. The marks reflected in the All-Inclusive Registrations, Brand Registrations, and the Coryn Group Applications, together with The Coryn Group II, LLC's extensive common law rights are hereinafter referred to as the "Coryn Group Marks."

35. The Coryn Group uses the Coryn Group Marks in advertising, marketing and promotional materials on a nationwide and worldwide basis through various media, including but not limited to, the Internet, newspapers, direct mail and magazines. The success of The Coryn Group is due, in part, to the extensive promotion and advertising that they have undertaken for the Coryn Group Marks.

36. The Coryn Group's extensive use and advertising of the Coryn Group Marks has resulted in consumer recognition that the Coryn Group Marks identify The Coryn Group II, LLC and ALG as the premier source of luxury accommodations and all-inclusive offerings, and related goods and services for resorts in Mexico, the Caribbean, and Central America. The Coryn Group Marks are assets of incalculable value and identifiers of The Coryn Group's goods and services, and goodwill.

37. The Coryn Group Marks are inherently distinctive and well-known for The Coryn Group's goods and services, and valuable consumer goodwill exists in the Coryn Group Marks. Such goodwill was generated long before Defendants' adoption and use of the marks identical or confusingly similar to the Coryn Group Marks.

38. The Coryn Group Marks symbolize an exceptional level of quality, reliability and trustworthiness, which are crucial qualities to consumers in the hospitality industry.

39. Because the Coryn Group Marks have become distinctive and famous under Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), they are entitled to a broad scope of protection.

THE CORYN GROUP’S REGISTERED COPYRIGHTS

40. The websites for AMR and each distinct resort are wholly original and copyrightable subject matter that is protected by copyright laws and portions of this copyrighted material are attached as Exhibit G (collectively, “Copyrighted Materials”), including but not limited to those located in the chart below. The Coryn Group II, LLC has filed a U.S. Copyright application for all of the Copyrighted Materials and complied in all respects with the Copyright Act of 1976, as amended, and all other laws governing copyright. At all relevant times, The Coryn Group II, LLC has been and still is the sole proprietor of all rights, title and interest in and to the copyright in the Copyrighted Materials.

<u>TITLE</u>	<u>REGISTRATION</u>	<u>REGISTRATION</u>
	<u>NUMBER</u>	<u>DATE</u>
AMResorts Media Site	TX0008734697	6/13/2019

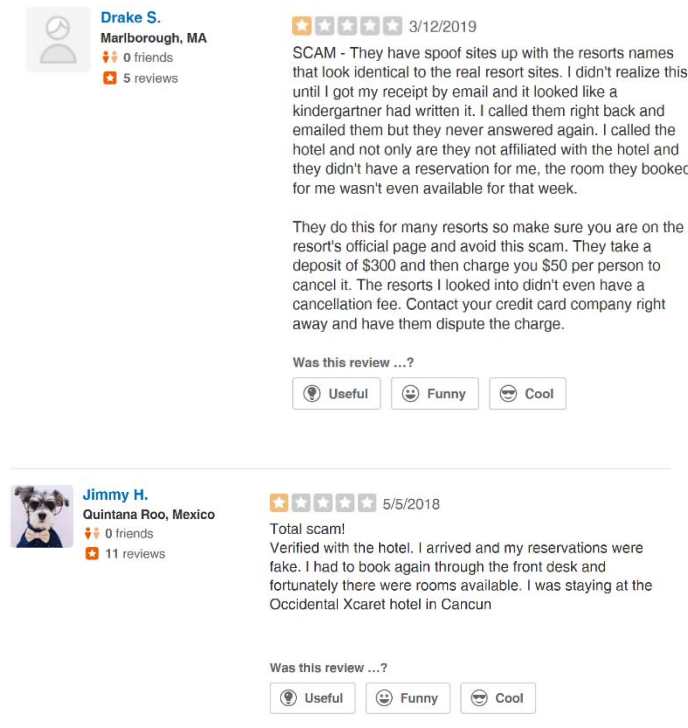
41. The Coryn Group II, LLC has not authorized, licensed or otherwise permitted the defendants to copy, reproduce, or create any derivative works incorporating the Copyrighted Materials or any similar variation thereof.

42. The Coryn Group II, LLC placed on The Coryn Group II LLC’s Copyrighted Materials a copyright notice presently stating either “© AMResorts 2019. All rights reserved” or “© AMResorts 2014-2018. All rights reserved.” (“Copyright Notice”). The Coryn Group II, LLC also provides physical addresses, email addresses, and phone numbers for every resort (“Contact Information”). The Coryn Group II, LLC also displayed copyright information on, imbedded in,

or in connection with the Copyrighted Materials, including the name of the author and the date taken for particular photographs. This Copyright Notice, Contact Information, and author name constitute The Coryn Group II LLC's copyright management information.

**DEFENDANTS' INFRINGING CONDUCT IN VIOLATION OF THE CORYN GROUP'S
MARKS AND COPYRIGHTS**

43. Vacation Tours uses the Coryn Group Marks, in addition to photographs and ad copy taken directly from the websites of individual resorts, to lure customers into booking fake travel reservations at the resorts. Examples of customer reviews from Vacation Store's business page on Yelp are provided below:



44. Despite constructive and actual knowledge of The Coryn Group II, LLC's prior rights to the Coryn Group Marks, Defendant Vacation Tours currently operates thirty-seven (37) websites (the "Counterfeit Websites") at thirty-seven (37) domain names (the "Infringing Domain

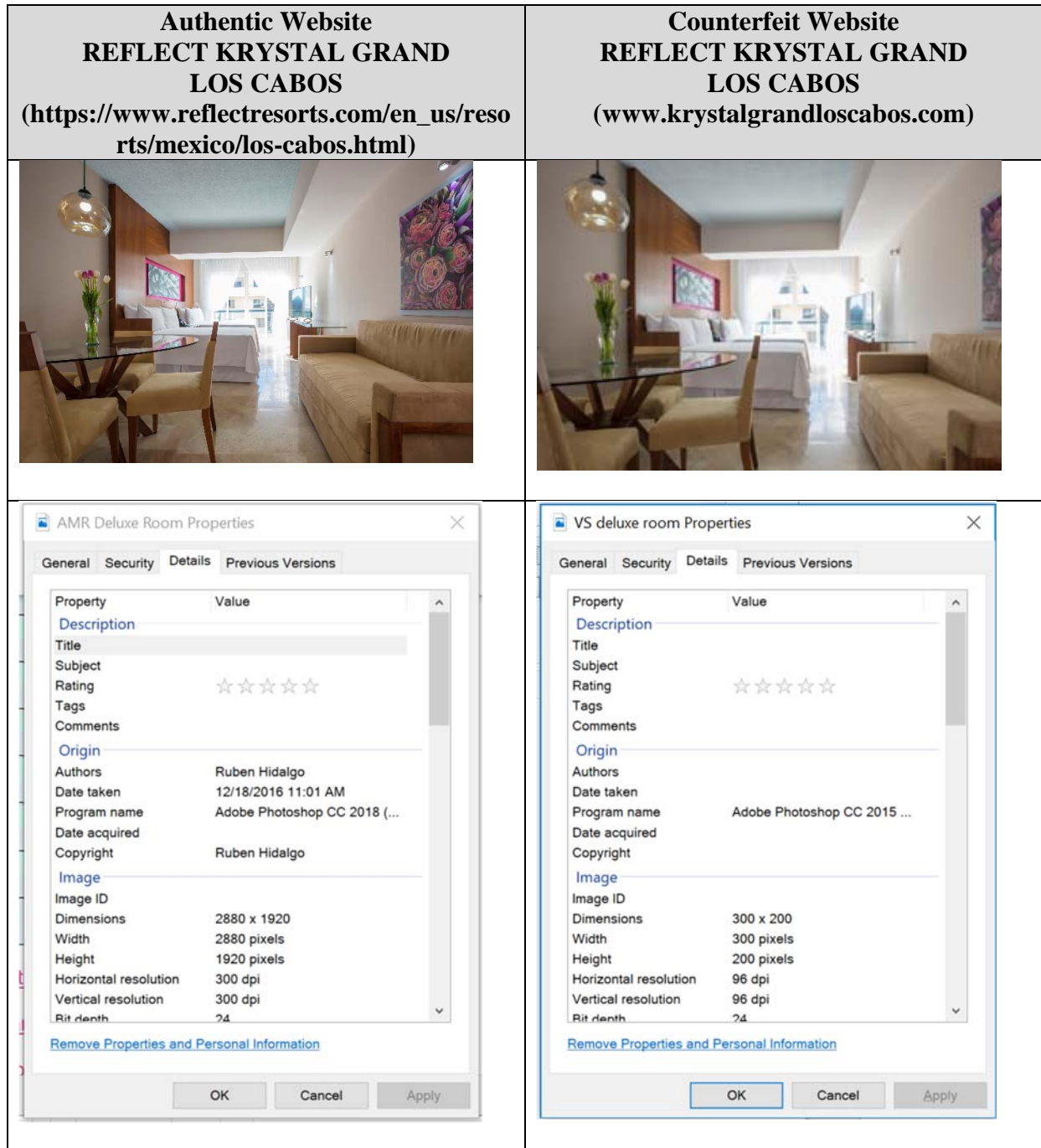
Names”) featuring content taken directly from the websites of resorts where AMR offers AMR Services. Below is a complete list of the domain names associated with the Counterfeit Websites:

<u>THE INFRINGING DOMAIN NAMES</u>		<u>RESORT ADVERTISED</u>	<u>DOMAIN CREATED</u>	<u>REGISTRANT</u>
<i>REFLECT RESORTS</i>				
1	<a href="http://<krystalgrandloscabos.com>"><u><krystalgrandloscabos.com></u>	Reflect Krystal Grand Los Cabos	May 12, 2016	Media Insight
2	<a href="http://<reflectkrystalgrandloscabos.com>"><u><reflectkrystalgrandloscabos.com></u>	Reflect Krystal Grand Los Cabos	Jun. 19, 2018	George Alvarez
3	<a href="http://<krystalgrandnuevovallarta.com>"><u><krystalgrandnuevovallarta.com></u>	Reflect Krystal Grand Nuevo Vallarta	Oct. 30, 2016	Media Insight
4	<a href="http://<reflectkrystalgrandnuevovallarta.com>"><u><reflectkrystalgrandnuevovallarta.com></u>	Reflect Krystal Grand Nuevo Vallarta	Jun. 19, 2018	George Alvarez
5	Mentioned at <a href="http://<krystalgrandpuncacancun.com>"><u><krystalgrandpuncacancun.com></u>	Reflect Cancun (formerly Reflect Krystal Grand Cancun)	Apr. 08, 2014	Media Insight
6	Mentioned at <a href="http://<reflectkrystalgrandpuncacancun.com>"><u><reflectkrystalgrandpuncacancun.com></u>	Reflect Cancun (formerly Reflect Krystal Grand Cancun)	Jun. 19, 2018	George Alvarez
<i>SUNSCAPE RESORTS</i>				
7	<a href="http://<starcancun.com>"><u><starcancun.com></u>	Sunscape Star Cancun	Apr. 18, 2018	George Alvarez
8	<a href="http://<sunscapecozumel.com>"><u><sunscapecozumel.com></u>	Sunscape Sabor Cozumel Resort and Spa	Sep. 08, 2014	Media Insight
9	<a href="http://<akumalbeachsparesort.com>"><u><akumalbeachsparesort.com></u>	Sunscape Akumal Resort & Spa	Mar. 29, 2019	Media Insight
10	<a href="http://<oasismontegobay.com>"><u><oasismontegobay.com></u>	Sunscape Cove Montego Bay	Jun. 10, 2013	Media Insight
11	<a href="http://<sunsetmontegobay.com>"><u><sunsetmontegobay.com></u>	Sunscape Splash Montego Bay	Jul. 27, 2009	Media Insight
<i>NOW RESORTS</i>				
12	<a href="http://<emeraldcancun.com>"><u><emeraldcancun.com></u>	Now Emerald Cancun	Mar. 07, 2019	Media Insight
13	<a href="http://<naturarivieracancun.com>"><u><naturarivieracancun.com></u>	Now Natura Riviera Cancun	Oct. 05, 2018	George Alvarez
14	<a href="http://<sapphirerivieracancun.com>"><u><sapphirerivieracancun.com></u>	Now Sapphire Riviera Cancun	Jul. 26, 2018	George Alvarez
15	<a href="http://<larimarpuntacana.com>"><u><larimarpuntacana.com></u>	Now Larimar Punta Cana	Mar. 10, 2011	Media Insight
16	<a href="http://<jaderivieracancun.com>"><u><jaderivieracancun.com></u>	Now Jade Riviera Cancun	Mar. 04, 2015	Media Insight
17	<a href="http://<onyxpuntacana.com>"><u><onyxpuntacana.com></u>	Now Onyx Punta Cana	Jun. 04, 2015	Media Insight

18	<amberpuertovallarta.com>	Now Amber Puerto Vallarta	Sep. 13, 2011	Media Insight
19	<gardenpuntacana.com>	Now Garden Punta Cana (became part of Now Larimar, above)	Sep. 28, 2015	Media Insight
ZOETRY RESORTS				
20	<zoetryaguapuntacana.com>	Zoëtry Agua Punta Cana	Nov. 02, 2009	Media Insight
21	<zoetryislamujeres.com>	Zoëtry Villa Rolandi Isla Mujeres	Jul. 31, 2014	Media Insight
22	<zoetryrivieracancun.com>	Zoëtry Paraiso de la Bonita Riviera Maya	Nov. 02, 2009	Media Insight
SECRETS RESORTS				
23	<akumalrivieramayaresort.com>	Secrets Akumal Riviera Maya	Mar. 04, 2015	Media Insight
24	<secretsrivieracancun.com>	Secrets Maroma Beach Riviera Cancun	Nov. 26, 2003	Media Insight
25	<secretsplayamujeres.com>	Secrets Playa Mujeres Golf & Spa Resort	Nov. 11, 2013	Media Insight
26	<thevinecancun.com>	Secrets The Vine Cancun	Jul. 31, 2014	Media Insight
27	<secretsvallarta.com>	Secrets Vallarta Bay Puerto Vallarta	Jul. 31, 2014	Media Insight
28	<royalveroaltospa.com>	Secrets Royal Beach Punta Cana	Mar. 24, 2014	Media Insight
29	<secretstjames.com>	Secrets St. James Montego Bay	Sep. 18, 2008	Media Insight
30	<secretswildorchidresort.com>	Secrets Wild Orchid Montego Bay	Sep. 07, 2008	Media Insight
BREATHLESS RESORTS				
31	<breathlessrivieracancunresort.com>	Breathless Riviera Cancun Resort & Spa	Feb. 28, 2015	Media Insight
32	<breathlesspuntacanaresort.com>	Breathless Punta Cana Resort & Spa	Feb. 26, 2015	Media Insight
DREAMS RESORTS				
33	<dreamspuertoaventurasresort.com>	Dreams Puerto Aventuras Resort & Spa	Sep. 18, 2008	Media Insight
34	<dreamscancunresorts.com>	Dreams Riviera Cancun Resort & Spa; & Dreams Sands Cancun Resort & Spa	Dec. 18, 2007	Media Insight

35	<dreamstulumresort.com>	Dreams Tulum Resort & Spa	Sep. 27, 2005	Media Insight
36	<dreamsvillamagnavallarta.com>	Dreams Villa Magna Nuevo Vallarta	Oct. 14, 2008	Media Insights
37	<dreamspalmbeachresort.com>	Dreams Palm Beach Punta Cana	Oct. 07, 2008	Media Insights

45. Defendant Vacation Tours' Counterfeit Websites feature photos that are identical to The Coryn Group's copyright protected images, but with the Authors and Date taken information removed, as shown below:



46. Recently, on March 29, 2019, before the opening of the Sunscape Akumal Resort & Spa on June 1, 2019, and despite constructive and actual knowledge of The Coryn Group II, LLC's prior rights to the Coryn Group Marks, Defendant Media Insight registered or caused to be registered the domain name <akumalbeachsparesort.com> ("Sunscape Akumal Domain Name").

A true and correct printout showing WHOIS registration details for the Sunscape Akumal Domain Name is attached as Exhibit D.

47. Defendants Media Insight and Vacation Tours subsequently set up the website www.akumalbeachsparesort.com (“Sunscape Akumal Counterfeit Website”) which contains ad copy that is identical to the authentic website for Sunscape Akumal Resort & Spa. A comparison of the ad copy from the Sunscape Akumal Counterfeit Website that is identical to the content on the Sunscape Akumal Resort & Spa website is shown below:

Sunscape Akumal Website www.sunscapecorresorts.com/akumal	Counterfeit Website for Sunscape Akumal www.akumalbeachsparesort.com
<p>Sunscape Akumal Resort & Spa debuts <i>Unlimited-Fun</i>® in the Akumal region of the Riviera Maya! Situated on a stunning expanse of white sand beach, this resort is close to the historic and ecological wonders of Tulum and Cobá. All 360 rooms and suites offer comfortable amenities and stunning views. Delicious snacks and delightful meals are available at eight dining options with limitless drinks poured at eight bars. Four shimmering pools, including two for Sun Club guests only, and endless activities keep the whole family entertained all day and into the evening. Kids will love the Explorer’s Club with fun and friendly activities while teens thrive in their own space at the Core Zone Teens Club. <i>Unlimited-Fun</i>® offers everything for an endlessly fun-in-the-sun getaway.</p>	<p>Sunscape Akumal Resort & Spa debuts <i>Unlimited-Fun</i>® in the Akumal region of the Riviera Maya! Situated on a stunning expanse of white sand beach, this resort is close to the historic and ecological wonders of Tulum and Cobá. All 360 rooms and suites offer comfortable amenities and stunning views. Delicious snacks and delightful meals are available at eight dining options with limitless drinks poured at eight bars. Four shimmering pools, including two for Sun Club guests only, and endless activities keep the whole family entertained all day and into the evening. Kids will love the Explorer’s Club with fun and friendly activities while teens thrive in their own space at the Core Zone Teens Club. <i>Unlimited-Fun</i>® offers everything for an endlessly fun-in-the-sun getaway.</p>

48. Similarly, on March 7, 2019, despite constructive and actual knowledge of The Coryn Group II, LLC’s prior rights to the Coryn Group Marks, Defendant Media Insight registered or caused to be registered the domain name <emeraldcancun.com> (“Emerald Cancun Domain Name”). A true and correct printout showing WHOIS registration details for the Emerald Cancun Domain Name is attached as Exhibit E. Defendants Media Insight and Vacation Tours subsequently set up the website www.emeraldcancun.com (“Emerald Cancun Counterfeit

Website”) which features ad copy that is identical to that on the website for Now Emerald Cancun and photographs that belong to The Coryn Group.

49. The Counterfeit Websites use the same website layout, with a white banner at the top of each page, and the name of the resort in the upper left corner. In addition, the Counterfeit Websites include the same three phone numbers in the top right corner of each of the Counterfeit Websites: 1 (888) 774-0040, 1 (800) 774-0040, and (305) 774-0040. As demonstrated by the above-referenced Yelp reviews, the Counterfeit Websites are used in connection with a scheme to defraud potential customers of The Coryn Group, resulting in fake hotel reservations and financial losses to such individuals. The Counterfeit Websites also feature photographs copied from the resort websites from different points in time.

50. Even cursory reviews of the Counterfeit Websites show that Counterfeit Websites are an attempt to emulate legitimate resort websites, thereby luring visitors into believing they are dealing with The Coryn Group, when they are not. Specifically, the Counterfeit Websites prominently use each branded resort name in the upper left and right-hand corners in dark colored font, all without authorization, and display VACATION STORE MIAMI in a light-colored font that fades into the white banner. Moreover, Defendants blatantly copied original content from the resorts websites and display this content at the Counterfeit Websites. Booking services are also available at the Counterfeit Websites -- the exact services affiliated with the Coryn Group Marks.

51. In an egregious attempt to claim rights in the Coryn Marks, Defendant Alvarez also applied for the following U.S. trademarks on October 17, 2018 (the “Fraudulent Applications”):

Mark	U.S. App. No.	International Class(es)	Filing Date
NATURARIVIERACANCUN.COM	88/157,967	43	Oct. 17, 2018
STARCANCUN.COM	88/157,966	43	Oct. 17, 2018

52. Now Natura Riviera Cancun is a resort opening December 1, 2019, and Sunscape Star Cancun is a resort opening November 1, 2019, both of which receive AMR Services from AMR.

53. The Coryn Group has not authorized, licensed or otherwise permitted Defendants to apply to register, use or reproduce the Coryn Group Marks or Copyrighted Materials, or any confusingly similar variation thereof.

54. Simply put, there is no legitimate reason or need for Defendants to use the Coryn Group Marks or original content in this fashion. The only purpose in using such materials is to lure customers into believing they are visiting legitimate and authentic websites, when they are not, thereby receiving customer information and profiting from customers through fraudulent hotel reservation schemes, including customers in the State of Delaware and the State of Pennsylvania.

DEFENDANTS' CONTENTIOUS HISTORY WITH THE CORYN GROUP

55. It is through these unauthorized acts that Defendants Vacation Tours, Inc., Media Insight Group, Inc., Rosanna Metz-Mendez, and George A. Alvarez (collectively, the "Named Defendants") have become well acquainted with The Coryn Group's intellectual property.

56. In fact, the Named Defendants are aware of, and acknowledged, The Coryn Group's exclusive rights in its intellectual property when the Named Defendants entered into a written settlement agreement (the "Agreement") with The Coryn Group, Inc. and AMRESORTS LLC, attached as Exhibit F.

57. The Agreement was entered into after a contentious series of events followed a 2003 UDRP Order to transfer the following five (5) domain names to The Coryn Group, Inc.:

- <secretscapri.com>
- <secretsexcellence.com>
- <sunscapepuntacana.com>
- <sunscapethebeach.com>
- <royaluveroaltospa.com>

58. In addition to transferring the domain names, the Named Defendants also agreed:

- Not to register or attempt to register any name, domain name, or mark that contains “Secrets”, “Sunscape”, “Royaluveroalto” anywhere in the world;
- Not to register any name, domain name, or mark that contains other names or marks associated with the travel business of “AMResorts, Coryn, and any affiliates” anywhere in the world; and
- Not to copy or use any content from Coryn or AMResorts websites, including photos, not distributed by AMResorts for such use.

59. Thus, the Named Defendants’ continued use of the Coryn Group Marks and attempted registration of the Fraudulent Applications demonstrate Defendants’ willful, intentional violation of the Agreement.

**DEFENDANTS’ INTENTIONAL ACTIONS HAVE CAUSED EXTENSIVE
HARM AND DAMAGE TO THE CORYN GROUP**

60. Defendants’ willful actions are intentional and intended to trade on the reputation and goodwill of The Coryn Group and the Coryn Group Marks. Defendants had actual knowledge and constructive notice of The Coryn Group’s ownership of the Coryn Group Marks. Despite this, Defendants proceeded to willfully infringe upon The Coryn Group’s rights.

61. By selecting and using marks that are identical or confusingly similar to the Coryn Group Marks in the Infringing Domain Names and on the Counterfeit Websites, Defendants have caused substantial harm to The Coryn Group in the State of Delaware and elsewhere knowing that such harm would be felt here.

62. Defendants’ use of the Coryn Group Marks is likely to mislead, deceive, and confuse the purchasing public and the trade. It is likely that consumers will mistakenly believe that

Defendants are connected, associated or in some way affiliated with The Coryn Group, when in fact no such connection, association or affiliation exists.

63. Defendants had no legitimate reason or good faith basis to register or use the Coryn Group Marks in connection with the Infringing Domain Names and Fraudulent Applications. Defendants' bad faith use and registration of the Infringing Domain Names and Fraudulent Applications are intentional acts to trade off the goodwill and reputation of The Coryn Group. Defendants' intent in registering the Infringing Domain Names and setting up the Counterfeit Websites was to profit from the goodwill and value associated with the Coryn Group Marks.

64. Defendants' acts are aggravated by the fact that Defendants are involved in a fraudulent hotel reservation scheme. The Counterfeit Websites are designed to fraudulently profit from potential customers.

65. Defendants' conduct causes damage and irreparable injury to The Coryn Group and to its goodwill and business reputation. As a direct and proximate result of Defendants' infringement and dilution of the Coryn Group Marks, The Coryn Group has suffered, and will continue to suffer, irreparable harm, damages and economic injury.

66. The Coryn Group has no adequate remedy at law, and unless Defendants are restrained and enjoined by the Court, these acts will continue to cause damage and irreparable injury to The Coryn Group, and damage their goodwill and business reputation. The Coryn Group cannot ascertain the precise amount of its damages at this time. The Coryn Group has no ability to control the nature and quality of content provided under the Coryn Group Marks. Effectively, The Coryn Group's trustworthy reputation and goodwill in the travel services industry is placed in the hands of questionable third parties.

COUNT I
FEDERAL TRADEMARK COUNTERFEITING
(REGISTERED MARKS)
15 U.S.C. § 1114

67. As the first ground for relief, The Coryn Group alleges violation of 15 U.S.C. § 1114. The Coryn Group repeats and realleges the allegations of paragraphs 1 through 66, as though fully set forth herein.

68. The Coryn Group II, LLC owns exclusive rights in U.S. registrations for the REFLECT, SUNSCAPE, NOW, ZOETRY, SECRETS, BREATHLESS, DREAMS, ENDLESS PRIVILEGES, UNLIMITED-LUXURY, and UNLIMITED-FUN trademarks.

69. Defendants have knowledge of The Coryn Group's rights in the REFLECT, SUNSCAPE, NOW, ZOETRY, SECRETS, BREATHLESS, DREAMS, ENDLESS PRIVILEGES, UNLIMITED-LUXURY, and UNLIMITED-FUN trademarks.

70. Without The Coryn Group II, LLC's authorization or consent, Defendants, as alleged herein, registered the Infringing Domain Names and set up the Counterfeit Websites, which incorporate or use trademarks identical or substantially indistinguishable from the registered REFLECT, SUNSCAPE, NOW, ZOETRY, SECRETS, BREATHLESS, DREAMS, ENDLESS PRIVILEGES, UNLIMITED-LUXURY, and UNLIMITED-FUN trademarks.

71. Defendants offer and advertise hotel and resort services ("Counterfeit Services") at the Counterfeit Websites identical to goods and services offered by AMR in connection with the Coryn Group Marks. As a result, Defendants have engaged in trademark counterfeiting in violation of 15 U.S.C. § 1114.

72. Defendants' use, as alleged herein, of the marks identical or substantially indistinguishable from the registered REFLECT, SUNSCAPE, NOW, ZOETRY, SECRETS, BREATHLESS, DREAMS, ENDLESS PRIVILEGES, UNLIMITED-LUXURY, and

UNLIMITED-FUN trademarks in connection with identical services is likely to cause and is causing confusion, mistake and deception among consumers as to the origin of the Counterfeit Services, and is likely to deceive the public into believing the Counterfeit Services being offered and advertised by Defendants originate from, are associated with, or are otherwise authorized by The Coryn Group, all to the damage and detriment of The Coryn Group's reputation and goodwill.

73. Defendants' acts have occurred in interstate commerce and have caused, and will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

COUNT II
FEDERAL TRADEMARK INFRINGEMENT
(REGISTERED MARKS)
15 U.S.C. § 1114(1)

74. As the second ground for relief, The Coryn Group alleges violation of Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1). The Coryn Group repeats and realleges the allegations of paragraphs 1 through 73, as though fully set forth herein.

75. As stated above, The Coryn Group II, LLC owns exclusive rights in the U.S. registrations for the All-Inclusive Registrations and Brand Registrations of which Defendants either had actual or constructive notice.

76. Defendants' unauthorized and infringing use of the different All-Inclusive Registrations and Brand Registrations, as alleged herein, is likely to cause confusion, mistake or deception as to the source, sponsorship or approval of Defendants' services by The Coryn Group. The consuming public and the trade are likely to believe that Defendants' services originate with The Coryn Group, are licensed, sponsored or approved by The Coryn Group, or in some way connected with or related to The Coryn Group, in violation of Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1).

77. Defendants' unauthorized and infringing use of the different All-Inclusive Registrations and Brand Registrations, as alleged herein, constitute intentional and willful infringement of The Coryn Group II, LLC's rights in and to their federally registered trademarks, as pled herein, in violation Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1).

78. These infringing acts have occurred in interstate commerce and have caused, and will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

COUNT III
FEDERAL TRADEMARK DILUTION
15 U.S.C. § 1125(c)

79. As the third ground for relief, The Coryn Group alleges violation of the Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c). The Coryn Group repeats and realleges the allegations of paragraphs 1 through 78, as though fully set forth herein.

80. As a result of the duration, extent, and geographic reach of The Coryn Group's use of the Coryn Group Marks, and advertising and publicity associated with the Coryn Group Marks, the Coryn Group Marks have achieved an extensive degree of distinctiveness and are famous marks under the Lanham Act, 15 U.S.C. § 1125(c). The Coryn Group Marks are widely recognized by the consuming public as a designation of source of The Coryn Group's goods and services.

81. Defendants began using the marks identical or confusingly similar to the Coryn Group Marks, in interstate commerce, in connection with the Infringing Domain Names and Counterfeit Websites, well after the Coryn Group Marks became famous and distinctive.

82. Defendants' use of the Coryn Group Marks dilutes, or is likely to dilute, by blurring the distinctive quality The Coryn Group's famous Coryn Group Marks and tarnishing the reputation of the Coryn Group Marks under Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

83. These acts have caused, and will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

COUNT IV
FEDERAL UNFAIR COMPETITION
15 U.S.C. § 1125(a)

84. As the fourth ground for relief, The Coryn Group alleges violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a). The Coryn Group repeats and realleges the allegations of paragraphs 1 through 83, as though fully set forth herein.

85. Defendants' unauthorized use of the different Coryn Group Marks, as alleged herein, constitutes use of a false designation of origin and false or misleading representation in interstate commerce, which wrongly and falsely designates, describes and represents the origin of Defendants' goods and services as originating from or being connected with The Coryn Group, and is likely to cause confusion, or to cause mistake, or to deceive as to Defendants' affiliation, connection or association with The Coryn Group, or as to the origin, sponsorship or approval of Defendants' goods and services by The Coryn Group in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a).

86. These acts have occurred in interstate commerce and have caused, and will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

COUNT V
FEDERAL ANTICYBERSQUATTING CONSUMER PROTECTION ACT
15 U.S.C. § 1125(d)

87. As the fifth ground for relief, The Coryn Group alleges violation of Section 43(d) of the Lanham Act, 15 U.S.C. §1125(d). The Coryn Group repeats and realleges the allegations of paragraphs 1 through 86, as though fully set forth herein.

88. Defendant Media Insight registered, owns and uses the Infringing Domain Names: <krystalgrandloscabos.com>, <krystalgrandnuevovallarta.com>, <krystalgrandpuntacancun.com>, <sunscapecozumel.com>, <akumalbeachsparesort.com>, <oasismontegobay.com>, <sunsetmontegobay.com>, <emeraldcancun.com>, <larimarpuntacana.com>, <jaderivieracancun.com>, <onyxpuntacana.com>, <amberpuertovallarta.com>, <gardenpuntacana.com>, <zoetryaguapuntacana.com>, <zoetryislamujeres.com>, <zoetryrivieracancun.com>, <akumalrivieramayaresort.com>, <secretsrivieracancun.com>, <secretsplayamujeres.com>, <thevinecancun.com>, <secretsvallarta.com>, <royaluveroaltospa.com>, <secretstjames.com>, <secretswildorchidresort.com>, <breathlessrivieracancunresort.com>, <breathlesspuntacanaresort.com>, <dreamspuertoaventurasresort.com>, <dreamscancunresorts.com>, <dreamstulumresort.com>, <dreamsvillamagnavallarta.com>, and <dreamspalmbeachresort.com>. Defendant Alvarez registered, owns uses the Infringing Domain Names: <reflectkrystalgrandloscabos.com>, <reflectkrystalgrandnuevovallarta.com>, <reflectkrystalgrandpuntacancun.com>, <starcancun.com>, <naturarivieracancun.com>, and <www.sapphirerivieracancun.com>. The Infringing Domain Names are confusingly similar to and dilutive of the famous and registered Coryn Group Marks.

89. Defendants continue to own and use the Infringing Domain Names in a manner that is confusingly similar to and dilutive of the Coryn Group Marks.

90. Defendants Media Insight and Alvarez registered, and Defendants use the Infringing Domain Names with a bad faith intent to profit from the Coryn Group Marks, in violation of Section 43(d) of the Lanham Act, 15 U.S.C. §1125(d).

91. These acts have caused, and unless restrained by this Court will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

COUNT VI
COPYRIGHT INFRINGEMENT
17 U.S.C. § 501

92. As the sixth ground for relief, The Coryn Group alleges violation of the copyright laws of the United States 17 U.S.C. § 101 *et seq.* The Coryn Group repeats and realleges the allegations of paragraphs 1 through 91, as though fully set forth herein.

93. The Copyrighted Materials contained in the websites set forth in paragraph 41 above, are original works of authorship constituting copyrightable subject matter under the laws of the United States.

94. The Coryn Group II, LLC owns an exclusive and valid copyright in and to the Copyrighted Materials, including the exclusive rights to reproduce, display and create derivative works based thereon. As a matter of law under 17 U.S.C § 410(c), The Coryn Group II, LLC's registration is "prima facie evidence of the validity of the copyright and of the facts stated in the certificate." Pursuant to this registration, The Coryn Group II, LLC's exclusive ownership of those Copyrighted Materials shall be presumed.

95. The Coryn Group II, LLC has complied in all material respects with the Copyright Act of 1976, as amended, and all other laws governing copyright, including the registration of such works.

96. Without permission or The Coryn Group II, LLC's authorization, or right under law, Defendants had access to and unlawfully reproduced, prepared derivative works based on,

distributed, and/or displayed publicly, Copyrighted Materials at the Counterfeit Websites in violation of the Copyright Act, 17 U.S.C. § 106.

97. The aforesaid infringements have continued through the filing of this action, are ongoing, and are likely to continue.

98. The foregoing acts of infringement by Defendants have been willful, intentional and purposeful, in disregard of and indifferent to The Coryn Group's rights.

99. Defendants' acts have caused, and unless restrained by this Court will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

COUNT VII
REMOVAL OF COPYRIGHT MANAGEMENT INFORMATION
17 U.S.C. § 1201

100. As the seventh ground for relief, The Coryn Group alleges violation of the copyright laws of the United States 17 U.S.C. § 1202 *et seq.* The Coryn Group repeats and realleges the allegations of paragraphs 1 through 99, as though fully set forth herein.

101. The Coryn Group displayed copyright information on, imbedded in, or in connection with the Copyrighted Materials, including the name of the author of photographs and the date taken. This and related information constitutes "Copyright Management Information" as defined by 17 U.S.C. §1202(c).

102. Defendants intentionally removed and/or altered the Copyright Management Information associated with the Copyrighted Materials in connection with its use and display of Copyrighted Materials on the Counterfeit Websites.

103. Defendants knew or had reasonable grounds to know that removal of such Copyright Management Information will induce, enable, facilitate, or conceal infringement of the Copyrighted Materials.

104. Defendants' removal and/or alteration of Copyright Management Information is and has been without The Coryn Group's authorization or consent.

105. The Coryn Group has been harmed through Defendants' removal and/or alteration of Copyright Management Information associated with the Copyrighted Work.

106. As a result of Defendants' wrongful conduct, The Coryn Group is entitled to injunctive relief and statutory damages pursuant to 17 U.S.C. §1203.

COUNT VIII
BREACH OF CONTRACT

107. As the eighth ground for relief, The Coryn Group alleges breach of contract, as Named Defendants' actions violate the terms of the 2005 Settlement Agreement. The Coryn Group repeats and realleges the allegations of paragraphs 1 through 106, as though fully set forth herein.

108. The Agreement is existing, valid, and enforceable.

109. Paragraph 3 of the Agreement states: "Vacation Tours, Rosanna Metz-Mendez, and George Alvarez agree that they will not register or attempt to register with any registrar or governmental agency a name, domain name, or mark that contains in whole or in part the designations 'Secrets,' 'Sunscape,' 'Royaluveroalto,' or any identifiable portion of such words anywhere in the world."

110. Paragraph 4 of the Agreement states: "Vacation Tours, Rosanna Metz-Mendez, and George Alvarez further agree that they will not register or attempt to register with any registrar or governmental agency any name, domain name, or mark that contains in whole or in

part others names or marks associated with the travel business of AMResorts, Coryn, and any affiliates thereof, including Apple Vacations West, Inc, anywhere in the world. Such names and marks include, but are not limited to, ‘Dreams,’ ‘Apple Vacations,’ ‘Apple,’ and ‘USA 3000,’”

111. Paragraph 5 of the Agreement states: “Vacation Tours, Rosanna Metz-Mendez, and George Alvarez shall avoid copying or using any content from Coryn or AM Resorts web sites, including photos, that are not distributed by AM Resorts for such use.”

112. Named Defendants claim, and have continued to claim ownership of intellectual property that is actually owned by The Coryn Group. These actions amount to a breach of Paragraphs 3, 4, and 5 of the Agreement.

113. Named Defendants’ breaches caused damage to The Coryn Group.

COUNT IX
TRADEMARK INFRINGEMENT AND DILUTION
PENNSYLVANIA TRADEMARK ACT
54 Pa. C.S. §§ 1101 *et seq.*

114. As the ninth ground for relief, The Coryn Group alleges violation of the Pennsylvania Trademark Act, 54 Pa C.S.A. §§ 1101 *et seq.* The Coryn Group repeats and realleges the allegations of paragraphs 1 through 113, as though fully set forth herein.

115. The Agreement contains a choice of law provision selecting Pennsylvania law, and Defendants’ unauthorized use of the different Coryn Group Marks, as alleged herein, has caused, and is likely to cause in the future, a likelihood of confusion or misunderstanding as to the sponsorship, approval, affiliation or connection of Defendants’ and The Coryn Group’s businesses, inasmuch as it gives rise to the incorrect belief that Defendants’ businesses have some connection with The Coryn Group.

116. These acts have caused, and unless restrained by this Court will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

COUNT X
UNFAIR COMPETITION UNDER PENNSYLVANIA LAW
73 P.S. § 201-1 *et seq.*

117. As the tenth ground for relief, The Coryn Group hereby alleges unfair competition under Pennsylvania law. The Coryn Group repeats and realleges the allegations of paragraphs 1 through 116, as though fully set forth herein.

118. This cause of action arises under state statutory and common law of unfair competition, including the Pennsylvania Unfair Trade Practices and Consumer Protection Act, 73 P.S. § 201-1 *et seq.*

119. The Agreement contains a choice of law provision selecting Pennsylvania law, and as a result of their actions complained of herein, Defendants have misappropriated valuable property rights of The Coryn Group, have passed off their services as those of The Coryn Group's, are trading off the goodwill symbolized by the different Coryn Group Marks, as alleged herein, and are likely to cause confusion or mistake, or to deceive members of the consuming public and the trade.

120. Plaintiffs have no control over the infringing services sold or offered for sale by Defendants.

121. Plaintiffs' good will and reputation have been and will continue to be irreparably harmed by Defendants' deceptive and unauthorized use of the Coryn Group Marks.

122. These acts have caused, and unless restrained by this Court will continue to cause, serious and irreparable injury to The Coryn Group, for which The Coryn Group has no adequate remedy at law.

123. As a result of Defendants' willful and malicious conduct, which violates Pennsylvania's Unfair Trade Practices and Consumer Protection Law, Plaintiff is entitled to have all monetary damages it sustained trebled pursuant to 73 P.S. § 201-9.2.

PRAYER FOR RELIEF

WHEREFORE, The Coryn Group prays that this Court enter a judgment and order:

124. That Defendants committed acts of unfair competition, deceptive business and trade practices, consumer fraud, and dilution under Pennsylvania common and statutory law in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114, Section 43(a), (c), and (d) of the Lanham Act, 15 U.S.C. §§ 1125(a), (c), and (d), Section 1101 of the Pennsylvania Trademark Act, 54 Pa. C.S. § 1101, and Section 201 of the Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 P.S. § 201-1;

125. That Defendants willfully violated the copyright laws of the United States, 17 U.S.C. § 101 *et seq.*;

126. That Defendants and their officers, directors, agents, servants, employees, affiliates, successors, shareholders, assigns and attorneys, as well as all those in active concert or participation with them, be preliminarily and permanently enjoined and restrained from:

- A. Using the Coryn Group Marks, or any reproduction, counterfeit, copy, or colorable imitation thereof in any manner in connection with the sale, offering for sale, distribution, or advertising of any services that are not

genuine products or services of The Coryn Group, or not authorized by The Coryn Group;

- B. Using any name, mark, or domain name that wholly incorporates the Coryn Group Marks or is confusingly similar to, including but not limited to any reproduction, counterfeit, copy or a colorable imitation of, the Coryn Group Marks;
- C. Registering, transferring, selling, owning or exercising control over any domain name that incorporates, in whole or in part, the Coryn Group Marks or anything confusingly similar thereto;
- D. Doing any other act or thing calculated or likely to induce or cause confusion or the mistaken belief that Defendants are in any way affiliated, connected, or associated with The Coryn Group or its goods and services;
- E. Licensing or authorizing others to use the Coryn Group Marks or any confusingly similar mark;
- F. Injuring The Coryn Group's business reputation and the goodwill associated with the Coryn Group Marks, and from otherwise unfairly competing with The Coryn Group in any manner whatsoever;
- G. Passing off Defendants' goods or services as those of The Coryn Group;
- H. Committing any acts which will blur or dilute, or are likely to blur or dilute the distinctive quality of the famous Coryn Group Marks;
- I. Reproducing and displaying the Copyrighted Materials;

J. Violating any of the exclusive rights owned by The Coryn Group II, LLC in the Copyrighted Materials or any other materials in which The Coryn Group owns copyright; and

K. Otherwise infringing upon the copyrights owned by The Coryn Group.

127. That, pursuant to 15 U.S.C. § 1118, Defendants be required to deliver up and destroy all labels, signs, packages, advertisements, promotions and all other matter in the custody or under the control of Defendants that bear the Coryn Group Marks or any other mark that is likely to be confused with the Coryn Group Marks;

128. That Defendants Media Insight and Alvarez be ordered to transfer ownership of the Infringing Domain Names and any other domain names under the control of Defendants that incorporate, in whole or in part, the Coryn Group Marks or anything confusingly similar thereto, to The Coryn Group;

129. That, because of Defendants' willful actions and pursuant to 15 U.S.C. § 1117, 17 U.S.C. § 1203 and Pennsylvania law, The Coryn Group be awarded monetary relief in an amount to be fixed by the Court in its discretion as just, including:

A. All profits received by Defendants from sales and revenues of any kind made as a result of their actions, and all damages sustained by The Coryn Group as a result of Defendants' actions, and that such profits and damages be trebled;

B. Or, if The Coryn Group so elects, an award for statutory damages pursuant to 15 U.S.C. § 1117(c)(2) consisting of \$2,000,000 per counterfeit mark, per type of services sold, offered for sale or distributed;

- C. An award of statutory damages pursuant to 15 U.S.C. § 1117(d) consisting of \$100,000 per domain name; and
- D. An award of statutory damages pursuant to 17 U.S.C. § 1203(c)(3)(B) consisting of \$25,000 for each violation; and
- E. The costs of the action.

130. That, because of Defendants willful actions and pursuant to 17 U.S.C. § 504, The Coryn Group be awarded monetary relief in an amount to be fixed by the Court in its discretion as just, including:

- A. The Coryn Group's actual damages and any additional profits of the infringer, or if The Coryn Group so elects, an award for statutory damages pursuant to 17 U.S.C § 504 consisting of \$150,000 per copyrighted work; and
- B. The costs of the action.

131. That, pursuant to 17 U.S.C. § 1203(c), The Coryn Group be awarded statutory damages in an amount of \$25,000 per violation of 17 U.S.C. § 1202, together with prejudgment and post-judgment interest;

132. That because of trademark counterfeiting, removal of Copyright Management Information, the exceptional nature of this case resulting from Defendants' deliberate and willful infringing actions, and the specific provisions of the Agreement, this Court award to The Coryn Group all reasonable attorneys' fees, costs and disbursements incurred by it as a result of this action, pursuant to 15 U.S.C. §§ 1117(a) and (b); and 17 U.S.C. §§ 505 and 1203(b)(4) and (5);

133. That Defendants Vacation Tours, Media Insight, Alvarez, and Metz-Mendez preserve copies of all documents, files, electronically stored information and things relating to the

Infringing Domain Names and Counterfeit Websites and take steps to retrieve files that may have been deleted before entry of this injunction; and

134. That The Coryn Group shall have such other and further relief as this Court may deem just.

Dated: June 24, 2019

BAYARD, P.A.







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**LIST OF EXHIBITS SUPPORTING PLAINTIFFS' COMPLAINT
AGAINST DEFENDANTS**

EXHIBIT	DESCRIPTION
A	Copies of Certificates of Registration & TSDR printouts for ENDLESS PRIVILEGES, UNLIMITED-LUXURY, and UNLIMITED-FUN registrations
B	<p>Copies of Certificates of Registration & TSDR printouts for REFLECT,</p> <p style="text-align: center;"></p> <p>SUNSCAPE RESORTS & SPAS, SUNSCAPE, NOW JADE, NOW</p> <p style="text-align: center;"></p> <p>RESORTS & SPAS, ZOETRY WELLNESS & SPA RESORTS, ZOETRY, SECRETS, BREATHLESS RESORTS & SPAS, BREATHLESS</p> <p style="text-align: center;"></p> <p>RESORTS & SPAS, DREAMS LAS MAREAS , DREAMS DELIGHT, and DREAMS registrations</p>
C	<p>TSDR printouts for REFLECT RESORTS & SPAS , SECRETS WILD ORCHID MONTEGO BAY, and SECRETS WILD ORCHID</p> <p style="text-align: center;"></p> <p>MONTEGO BAY applications</p>
D	WHOIS printout for Sunscape Akumal Domain Name
E	WHOIS printout for Emerald Cancun Domain Name
F	2005 Settlement Agreement
G	Copyrighted Materials